

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 18 be amended to read as follows:

- 1 Page 12, line 36, delete "Seven" and insert "**Ten**".
- 2 Page 12, line 36, delete "(\$7,000,000)." and insert "**(\$10,000,000).**".
- 3 Page 12, line 38, delete "five-tenths of".
- 4 Page 12, line 38, delete "(0.5%)" and insert "**(1%)**".
- 5 Page 12, line 41, delete "two" and insert "**five**".
- 6 Page 12, line 41, delete "(\$200,000)." and insert "**(\$500,000).**".
- 7 Page 24, between lines 35 and 36, begin a new line block indented
- 8 and insert:
- 9 "**(4) After notice is given, a petition requesting the application**
- 10 **of the local public question process under section 3.6 of this**
- 11 **chapter may be filed by the lesser of:**
- 12 **(A) two hundred fifty (250) persons who are either owners**
- 13 **of real property within the political subdivision or**
- 14 **registered voters residing within the political subdivision;**
- 15 **or**
- 16 **(B) three percent (3%) of the registered voters residing**
- 17 **within the political subdivision.**
- 18 **(5) The state board of accounts shall design and, upon request**
- 19 **by the county voter registration office, deliver to the county**
- 20 **voter registration office or the county voter registration**
- 21 **office's designated printer the petition forms to be used solely**
- 22 **in the petition process described in this section. The county**
- 23 **voter registration office shall issue to an owner or owners of**
- 24 **real property within the political subdivision or a registered**
- 25 **voter residing within the political subdivision the number of**
- 26 **petition forms requested by the owner or owners or the**
- 27 **registered voter. Each form must be accompanied by**
- 28 **instructions detailing the requirements that:**
- 29 **(A) the carrier and signers must be owners of real**
- 30 **property or registered voters;**
- 31 **(B) the carrier must be a signatory on at least one (1)**

petition;

(C) after the signatures have been collected, the carrier must swear or affirm before a notary public that the carrier witnessed each signature; and

(D) govern the closing date for the petition period.

Persons requesting forms may be required to identify themselves as owners of real property or registered voters and may be allowed to pick up additional copies to distribute to other property owners or registered voters. Each person signing a petition must indicate whether the person is signing the petition as a registered voter within the political subdivision or is signing the petition as the owner of real property within the political subdivision. A person who signs a petition as a registered voter must indicate the address at which the person is registered to vote. A person who signs a petition as a real property owner must indicate the address of the real property owned by the person in the political subdivision.

(6) Each petition must be verified under oath by at least one (1) qualified petitioner in a manner prescribed by the state board of accounts before the petition is filed with the county voter registration office under subdivision (7).

(7) Each petition must be filed with the county voter registration office not more than thirty (30) days after publication under subdivision (2) of the notice of the preliminary determination.

(8) The county voter registration office shall determine whether each person who signed the petition is a registered voter. The county voter registration office shall not more than fifteen (15) business days after receiving a petition forward a copy of the petition to the county auditor. Not more than ten (10) business days after receiving the copy of the petition, the county auditor shall provide to the county voter registration office a statement verifying:

(A) whether a person who signed the petition as a registered voter but is not a registered voter, as determined by the county voter registration office, is the owner of real property in the political subdivision; and

(B) whether a person who signed the petition as an owner of real property within the political subdivision does in fact own real property within the political subdivision.

(9) The county voter registration office shall not more than ten (10) business days after receiving the statement from the county auditor under subdivision (8) make the final determination of the number of petitioners that are registered voters in the political subdivision and, based on the statement provided by the county auditor, the number of petitioners that own real property within the political subdivision. Whenever

the name of an individual who signs a petition form as a registered voter contains a minor variation from the name of the registered voter as set forth in the records of the county voter registration office, the signature is presumed to be valid, and there is a presumption that the individual is entitled to sign the petition under this section. Except as otherwise provided in this chapter, in determining whether an individual is a registered voter, the county voter registration office shall apply the requirements and procedures used under IC 3 to determine whether a person is a registered voter for purposes of voting in an election governed by IC 3. However, an individual is not required to comply with the provisions concerning providing proof of identification to be considered a registered voter for purposes of this chapter. A person is entitled to sign a petition only one (1) time in a particular petition and remonstrance process under this chapter, regardless of whether the person owns more than one (1) parcel of real property within the subdivision and regardless of whether the person is both a registered voter in the political subdivision and the owner of real property within the political subdivision. Notwithstanding any other provision of this section, if a petition is presented to the county voter registration office within thirty-five (35) days before an election, the county voter registration office may defer acting on the petition, and the time requirements under this section for action by the county voter registration office do not begin to run until five (5) days after the date of the election.

(10) The county voter registration office must file a certificate and each petition with:

(A) the township trustee, if the political subdivision is a township, who shall present the petition or petitions to the township board; or

(B) the body that has the authority to authorize the issuance of the bonds or the execution of a lease, if the political subdivision is not a township;

within thirty-five (35) business days of the filing of the petition requesting a petition and remonstrance process. The certificate must state the number of petitioners that are owners of real property within the political subdivision and the number of petitioners who are registered voters residing within the political subdivision.

(11) If a sufficient petition requesting local public question process is not filed by owners of real property or registered voters as set forth in this section, the political subdivision may issue bonds or enter into a lease by following the provisions of law relating to the bonds to be issued or lease to be entered into."

Page 25, line 12, delete "A" and insert "If a sufficient petition

- 1     **requesting the application of the local public question process has**  
2     **been filed as set forth in section 3.5 of this chapter, a".**

(Reference is to SB 18 as printed January 11, 2008.)

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Senator BRODEN